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COMMISSION ON HUMAN RIGHTS

Fifty-third session

SUMMARY RECORD OF THE 50th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 9 April 1997, at 3 p.m.

Chairman: Mr. SOMOL (Czech Republic)

later: Mr. STROHAL (Austria)
(Vice-Chairman)

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GE.97-11952 (E)

The meeting was called to order at 3.25 p.m.

ORGANIZATION OF THE WORK OF THE SESSION (agenda item 3) (continued)

1. The CHAIRMAN said that, in view of the backlog of speakers, he would have to apply strictly the previously agreed rules on the time limits for speeches. Collective statements by groups of delegations or groups of non-governmental organizations (NGOs) would be given more time, although any additional statement by an individual delegation or organization represented in such a collective statement should be very brief and not repeat the collective statement's points.

2. Mr. BAQUEROT (Director of the Division of Administration) said that he had been asked by the Controller to clarify the procedures for administrative and budgetary matters. The Commission had been showing a growing tendency to deal with such matters in its resolutions and decisions; for example, a draft resolution on racism, racial discrimination, xenophobia and related intolerance made detailed recommendations on budgetary and administrative aspects. Other draft resolutions touched upon human resource issues such as geographical distribution and secondment from Governments. Those issues had been the subject of a recent resolution of the Fifth Committee, which in some instances diverged widely from the proposals in the draft resolutions before the Commission.

3. He thus recalled the relevant provisions of General Assembly resolution 45/248, Part B VI, which reaffirmed that the Fifth Committee was responsible for administrative and budgetary matters, reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions (ACABQ), expressed concern at the tendency of other intergovernmental bodies to involve themselves in those matters, and invited the Secretary-General to provide all such bodies with information on the relevant procedures.

4. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the Commission would be informed of the budgetary implications, if any, of requests in its draft resolutions or decisions. If additional costs could not be met from existing resources, funds would have to be requested from the contingency fund, in accordance with General Assembly resolutions 41/213 and 42/211. If the costs could not be met from that fund, resources would have to be redeployed from low-priority areas or the additional activities would have to be deferred.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

(a) QUESTION OF HUMAN RIGHTS IN CYPRUS (agenda item 10) (continued) (E/CN.4/1997/5, 6 and Add.1 and Add.2, 8, 9, 12 and Corr.1 and Add.1 and Corr.1, 48-50, 51 and Add.1, 52-54, 55 and Corr.1, 56-59, 60 and Add.1, 61, 62 and Add.1, 63, 64, 113, 114, 118, 123-125, 129 and 132; E/CN.4/1997/NGO/3-6, 12, 14-17, 21, 25 and 27; A/51/457, 460, 466, 478, 479, 481, 490, 496, 538 and 542/Add.2)

5. Ms. GRAZ (Reporters Without Borders) said that genuine freedom of the press existed in less than one third of the Member States of the United Nations. In Algeria, 57 journalists had been killed by Islamic

extremists since 1993 while the Algerian authorities arrested journalists and harassed and censored the press by every possible means. There was no freedom of the press in Cuba, where even the possession of a fax or photocopying machine could lead to a prison sentence. The few independent journalists in that country were constantly hounded and accused of producing enemy propaganda or even spying. Ethiopia had the worst record of any African country for imprisoning journalists; of the 15 journalists held on 1 January 1997 for publishing information on security matters or ethnic rivalries, only 4 had been sentenced, while some had been held for up to a year awaiting sentencing. Moreover, the police in Ethiopia used torture to repress journalists, as in the case of Iskinder Nega, editor of the weekly Hahesha. China and Turkey were other notable culprits where criticism by journalists was silenced.

6. Mr. SHIMOJI (World Peace Council) said that, while overt military dictatorships were a thing of the past in Pakistan, it was a strange democratic system that had set up a supra-constitutional body of non-elected individuals to oversee the Government and had changed its Constitution to declare some groups, such as the Ahmadiyas, to be second-class citizens. The rights of minorities were being trampled on, with Christians being executed for blasphemy and fundamentalist mobs running riot, and even Muslim sects were beginning to feel insecure.

7. In Japan, the heavy concentration of American military bases on Okinawa had been detrimental to the islanders' enjoyment of their fundamental human rights. The people of the main island had been constrained to sacrifice 20 per cent of their territory to the bases, which had outlived their usefulness and hindered the healthy development of the Okinawan people.

8. Mr. ABU-EISSA (Arab Lawyers Union) said he was concerned at the deterioration in the Middle East situation as a result of Israel's expansionist settlement policies. He deplored the decision of the United States Government to use its veto to block two key resolutions of the Security Council, which would have gone a long way towards defusing the crisis caused by Israel's decision to build a Jewish settlement in eastern Jerusalem, preventing the widespread violation of human rights and consolidating a just peace based on Israel's withdrawal from all occupied Arab territories.

9. A clear distinction should be made between armed struggles for liberation, terrorism emanating from religious extremism, and violence rooted in the socio-economic crisis faced by many countries in the South. The killings in Algeria and Upper Egypt and the blatant human rights violations in Afghanistan required a new approach and new mechanisms to deal with those situations.

10. In Sudan, the policies of the Government of the National Islamic Front were at variance with human rights principles and the Government continued to reject all United Nations instruments for protecting human rights, including the Special Rapporteur on the situation of human rights in the Sudan, who had been thrown out of the country. The civil war had spread, causing large numbers of people to flee to neighbouring countries, and minors, who had been forcibly conscripted, were being killed in combat. He urged the Commission to

call on the Sudanese Government to cease torturing detainees, end slavery, stop sponsoring and exporting terrorism and restore a pluralistic democracy based on the rule of law.

11. While welcoming the initiatives to end the conflict in Somalia, he decried the double standards applied by countries of the North to human rights issues in the South, and said that the embargoes violating the human rights of the peoples of Iraq and the Libyan Arab Jamahiriya must be lifted.

12. Ms. NEURY (Centre Europe - Tiers Monde) said that the Government of Rwanda faced the daunting task of rebuilding a country that had been devastated by genocide and was crippled by foreign debt. That debt amounted to almost 90 per cent of Rwanda's gross domestic product (GDP), and the cost of servicing it represented 46 per cent of its exports. Most of the loans agreed upon between 1990 and 1994 had been linked to a structural adjustment programme of the International Monetary Fund (IMF) but had been used to buy weapons and maintain an army that had grown overnight from 5,000 to 40,000 men. The former regime continued to have access to the funds concerned, via a so-called subsidiary of the Rwandan National Bank and with the complicity of several private banks.

13. It was difficult to justify holding people responsible for debts incurred by dictators imposed on them by external agents. Rwanda's foreign debt should be carefully examined to separate legitimate debts from those to which creditors could lay no legal claim. In fact, given the conditions in which the debt had been contracted, all loans agreed upon between 1990 and 1994 should be unconditionally cancelled.

14. More generally, the special rapporteurs of the Commission should refer specifically in their reports on countries to economic, social and cultural rights, as required by Commission resolution 1995/15.

15. Ms. PROUVEZ (International Commission of Jurists) said that disappearances, extrajudicial killings and torture were becoming increasingly common in Turkey, where the authorities regularly violated international humanitarian law, especially in the counter-insurgency campaign against the Kurdish Workers' Party (PKK). Fighting in the south-eastern provinces had led to the displacement of three million people, who lacked adequate food, housing and medical care and for whom there was no adequate compensation.

16. While condemning the taking of hostages by the Tupac Amaru Revolutionary Movement at the Japanese Embassy in Lima, an unacceptable form of political opposition, she said there were other causes for concern about human rights in Peru. The system of "faceless judges", used in trials linked with terrorism, led to a denial of justice and of the rights of the accused. The adoption of a new law to examine the cases of persons tried or sentenced under terrorist laws was welcome inasmuch as it had led to the release of 325 innocent people but the individuals concerned had not received adequate reparation and their trials had not been declared null and void.

17. The transition to democracy in Nigeria was being conducted amidst a wave of harassment, intimidation and the arbitrary arrest of human rights activists. The Nigerian military Government had not been cooperative with the

efforts of the General Assembly and the Commission on Human Rights to end the gross violations of human rights in the country. It had deliberately interpreted in a restrictive manner the mandate of the Special Rapporteurs on the independence of the judiciary and on extrajudicial, summary and arbitrary executions, thereby rendering Commission resolution 1996/79 meaningless. Her organization therefore urged the Commission to appoint a special rapporteur to undertake a thorough study of the human rights situation in Nigeria.

18. Mr. XIAO Qiang (Asian Cultural Forum on Development) said that, according to the Chinese Government's own statistics, over 2,000 "counter-revolutionaries" were imprisoned in that country, but there was reason to believe that that figure grossly under-represented the situation. In over 200 well-documented cases of political detention, the individuals had been imprisoned on criminal charges and those cases did not appear in the Government's statistics. Moreover, the Government routinely used administrative detention, which it called "re-education through labour", as a means of sending human rights activists to labour camps, without trial, for up to three years. Those prisoners likewise did not appear in the statistics.

19. Human rights were not a luxury but a necessity for China if stability was to be ensured. There were already serious problems of unemployment, migrant labour, appalling conditions in factories and corruption in the commercial and administrative system; without a peaceful means for people to address those issues, a crisis would ensue, undermining China's economic development.

20. Consequently, by highlighting human rights problems in China, the Commission would both help the Chinese people and facilitate the country's transformation into a humane, free society.

21. Mr. NYANDAK (Society for Threatened Peoples) said that the representative of China had described his earlier statement on the rights of detainees in Tibet and China as "fabricated". It would have been preferable for the Chinese delegation to address the specific cases mentioned in that statement.

22. The Tibetan people had been denied its rights to freedom of expression, assembly and association for more than four decades. Its land had become a Chinese colony where human rights were violated daily. In the name of "economic development", China was pursuing its policy of establishing Chinese settlements in Tibet, with the result that the six million Tibetans had become a minority in their own land. Coercive birth control practices applied to Tibetan women were reducing the Tibetan population, with the aim of annihilating the Tibetan identity.

23. That identity was being simultaneously destroyed by repression in respect of religion, the Tibetan language and traditional customs. The phenomenon amounted to a racial, cultural and religious genocide which the international community must address before it was too late.

24. Ms. PILEGGI (International Educational Development), speaking on behalf of many other NGOs as well as her own, said that the civilian population in the Tamil homeland on the island of Sri Lanka continued to be the target of

military operations, disappearances, extrajudicial killings, rape, torture, arbitrary arrest and indefinite detention. The north-eastern part of the island was still under an embargo on essential food and medicine, and more than 825,000 displaced Tamils were living in appalling conditions, including acute shortages of water, food and medicine. She urged the Commission to adopt a resolution addressing that problem.

25. Speaking on behalf of her own organization, she said that, because the regime had not allowed the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to visit the country, his report did not reflect the actual situation there, especially the use of brutality and torture by the regime's armed thugs and the situation of women, which was graver than in any other country. Even small schoolgirls were given 10 lashes for improper veiling. The Jewish community in Iran had been drastically reduced from 120,000 to 20,000, mainly through escape, and that was also disturbing.

26. In Iraq, the needs of civilians had been exacerbated by war damage. Any aspect of the economic sanctions or the oil for food agreement that controlled or limited humanitarian aid to civilians violated the 1949 Geneva Conventions and should be considered null and void.

27. Mr. MANEU (Pax Romana) said the prolongation for an additional year of the mandate of the Independent Expert on the situation of human rights in Guatemala would provide the Commission with an exhaustive study on the subject. The peace process in that country should be strongly supported by means of all the advisory and monitoring mechanisms available to the United Nations.

28. In Peru, members of the armed forces were continuing to detain arbitrarily and to torture the population in general, and in particular, members of the Indian community. The Commission should consider the possibility of appointing an independent expert to inform it concerning the situation there.

29. In Colombia, forced disappearances, summary and extrajudicial executions and arbitrary detention carried out by members of the armed forces and paramilitary groups were increasing in number with complete impunity. Human rights defenders were subjected to threats and persecution. The Commission should keep the situation in Colombia under close review and request the High Commissioner for Human Rights to submit periodic reports on the subject.

30. Mr. ROSSI (International Association for Religious Freedom) said that religious extremism was a phenomenon affecting all the major religions, though its most dangerous manifestations in recent years had involved Islamic movements. In Algeria, over 50,000 men, women and children had been killed in God's name since 1992. In Iran, the Government was continuing its policy of intolerance of religious minorities, the Baha'is in particular being systematically persecuted and harassed and many of them killed.

31. The Government of Pakistan was having difficulty in containing the violence connected with Islamic fanaticism. In February 1997, a Christian town had been sacked and burned and 13 churches damaged by a frenzied crowd

under the erroneous impression that a member of the Christian community had defaced pages of the Koran. He welcomed the fact that the Government had already taken steps to reconstruct the town and its churches.

32. Islamic extremism was growing in a number of other countries, including the Sudan, Afghanistan, Indonesia, Egypt, Saudi Arabia and Turkey. In the Turkish-occupied part of Cyprus, holy places, icons and iconostases had been profaned, destroyed or sold. The international community must act vigorously against the rise of religious extremism and take the necessary steps to ensure that the dignity of the human person was respected everywhere in the world.

33. Ms. BAUER (Article XIX - International Centre against Censorship) said that the system of government by decree in Nigeria was inimical to the promotion and protection of human rights and reports revealed the existence of a pattern of systematic abuses and violations of human rights there. Her organization thus urged the Commission to appoint a special rapporteur on the situation of human rights in Nigeria with a mandate to report to both the General Assembly and the Commission itself.

34. Recent statements and actions by China suggested that, after the handover of power, the framework of human rights protections currently in place in Hong Kong would be compromised. There was a proposal, for example, to repeal the public order and societies ordinances, which would open the way to requiring police permission before peaceful demonstrations could be held and to barring links with organizations overseas. Its current session was the Commission's last opportunity to make clear to the Chinese Government the international community's determination to ensure that the standards of human rights protection in effect in Hong Kong at the time of the transfer of authority were maintained.

35. The continuing detention of democratic political leaders, writers and academics in Burma was deeply disturbing, particularly the well-being of Daw Aung San Suu Kyi. Continuing censorship, not only of information of a political nature, but also of materials on government policies concerning the environment and family and reproductive health, was also a cause for concern.

36. Mr. MFUAMBA (International Centre for Human Rights and Democratic Development) said that his organization fully endorsed all the conclusions set out in the report of the Special Rapporteur on the situation of human rights in Rwanda (E/CN.4/1997/61), whose mandate should be renewed. Though enormous efforts had been made by the Government of Rwanda to restore normalcy, they were overshadowed by the violent conditions surrounding the closing of the camps in eastern Zaire, which had resulted in the directionless flight of many thousands of persecuted refugees. The forcible closure of refugee camps in Tanzania had created dangerous precedents for the role of the United Nations High Commissioner for Refugees (UNHCR). The international community must accept its responsibility for those events in that it had permitted the situation to deteriorate by taking no action to halt a flagrant arms trade or to disarm those persons who were holding refugee populations hostage.

37. In Burundi, a process of democratization that had been well under way had been abruptly halted by the assassination of the President and members of his cabinet in October 1993. The country was on the brink of chaos and in a

state of permanent civil war. The Special Rapporteur on the human rights situation in that country had sounded the alarm bells, to which the Commission should pay full attention and renew his mandate.

38. Owing to the civil war in the east of the country sparked by the presence of armed refugees from Rwanda and Burundi, Zaire had been plunged into a violent process of political change, and its future was uncertain. The rebel forces seemed on the verge of imposing conditions for peace on the shaky regime of President Mobutu. It was to be hoped that all those, on both sides, who were guilty of crimes would be brought to justice and that Zaire would rapidly resume its progress towards democracy. His organization fully endorsed the conclusions and recommendations of the Special Rapporteur on Zaire and recommended renewal of his mandate. It also recommended the establishment of an international commission of inquiry.

39. Mr. VERFAILLIE (International Association for the Defence of Religious Liberty) said that, thanks partly to the Commission, the right to freedom of religion was enjoyed in the genuine democracies, but in many other countries it was systematically violated. In some quarters, opposition to human rights was growing ever more overt. At the same time, admittedly, religious expression was taking on ever more extraordinary and sometimes extreme forms. His organization was, however, particularly worried by the deep hostility directed at "sects" and new religious movements.

40. It did not advocate unlimited religious freedom. Society clearly had to accommodate the various freedoms with each other. To condemn all "sects" out of hand, however, was irrational and unfair. They should be treated on the same basis as any other religion, traditional or otherwise. The United Nations should promote international meetings between the representatives of different religions to encourage them to think more deeply about their position on the freedom of conscience and religion. States should not succumb to pressure from international critics or to sensationalism.

41. Mr. AHDEROM (Baha'i International Community) said that the list of human rights violations that the Baha'is suffered in the Islamic Republic of Iran had changed little over the 17 years since the matter had first been brought to the Commission's attention. Baha'is were still the targets of such overt atrocities as execution, torture and imprisonment, as well as more subtle forms of discrimination.

42. At the current session, he wished to focus on the cases of four of the 14 Baha'is currently imprisoned in Iran. Those four had been sentenced to death, two of them for apostasy, although the right to change one's religion was recognized within the framework of internationally established standards in the field of human rights. As the Commission's Special Rapporteur on religious intolerance and Special Representative on Iran had urged, the Government should review and set aside the death sentences; return community properties and compensate for the disruption of places of worship; guarantee equal treatment by the judiciary; and re-establish the Baha'i institutions.

43. Baha'i institutions constituted the core around which Baha'i community life revolved. Their dissolution was equivalent to abolishing the clergy in Christian communities, since they performed such functions as marriages and burials. Their re-establishment was thus of crucial importance.

44. The continual persecution and harassment of the Baha'is was aimed at demoralizing the community, choking the life out of it and ultimately annihilating it, as outlined in a secret memorandum issued by the Islamic Supreme Revolutionary Cultural Council. Individual members of the community had shown great courage, heartened by the Commission's many resolutions on the situation of human rights in the Islamic Republic of Iran.

45. He appealed to the Commission to consider how the Government could be brought to implement the recommendations of the Special Rapporteur on religious intolerance. It should devise a timetable as a yardstick for measuring the improvement of the human rights situation in Iran.

46. Mr. CUNNIAH (International Confederation of Free Trade Unions (ICFTU)) expressed deep concern at the increasing number of States which were becoming gross violators of trade union rights. Many seemed to consider free and independent trade unions not as partners, but as obstacles to development.

47. In the Republic of Korea, after two months of strikes and an intense international campaign, the Government had withdrawn its new labour legislation, but the new version too, violated internationally recognized labour standards.

48. In Indonesia, the trade union leader Muchtar Pakpahan continued to be the victim of systematic harassment by the authorities. His health had seriously deteriorated in custody and he had been hospitalized, but the authorities had refused him permission to travel abroad for medical treatment. ICFTU would hold the Indonesian Government responsible for any further deterioration in his health.

49. ICFTU would shortly release a comprehensive report on the continued violations of trade union rights in China, together with a list of 67 detained trade union activists. He hoped that the report would lead to the adoption of a strong resolution on the situation of human rights in China.

50. There had been no improvement in the situation of trade union rights in Nigeria, where trade union leaders were still detained without trial. The Nigerian Labour Congress was still managed by a government-appointed administrator and a new decree empowered the Minister of Labour to cancel the registration of any trade union. There was no appeal against any such cancellation.

51. In Swaziland, the Government had arrested trade union leaders, following a strike in February 1997 to obtain democratic reforms in the Kingdom. The trade unionists had been released, but no action had been taken to improve the social and economic situation of the country.

52. Free trade unions were not allowed to operate in the Sudan. Some 25 trade union leaders were still detained without charge or trial. The Commission should call on the Government to release them immediately and unconditionally. ICFTU also had strong evidence of gross violations of human rights in Colombia, Costa Rica, Belarus, Lithuania, Kazakstan, the Islamic Republic of Iran, Morocco, Niger, Djibouti, Chad, Turkey and Myanmar. The Commission should take strong measures against all those countries.

53. Mr. Strohal (Austria), Vice-Chairman, took the Chair.

54. Mr. MBOMIO ONDO BACHENG (North South XXI) said he was concerned at the situation in the Great Lakes region of Africa. There had been a recrudescence of the struggle for influence by the great Powers, to the detriment of African States whose territorial integrity and sovereignty were at risk. There was a new drive towards colonization and humanitarian concerns were secondary thereto.

55. The situation of the numerous refugees in Zaire and Burundi had not improved. In the war in Zaire there was no protection for civilians, who suffered both from the warring parties and from the militias of the former Rwandan armed forces and other mercenaries. The basic principles of humanitarian law and the International Bill of Human Rights were being flouted and the warring parties paid no regard to refugee camps. There had been forced resettlement in various parts of Burundi and the lives of thousands of civilians were threatened. Reports by the United Nations Office in Burundi and by the Special Rapporteur gave no grounds for optimism.

56. Many people who had taken part in the genocide in Rwanda and massacres in Burundi walked free in both Africa and Europe. Such impunity could lead to further human rights abuses and his organization believed that the International Criminal Tribunal should become a permanent body with real authority and the power to try those truly responsible for human rights violations, namely, the instigators rather than the perpetrators.

57. In the countries of the North, particularly the United States, racism and xenophobia were on the rise. Police killings of blacks and Latin Americans in the United States were increasing and prosecution of those committing such crimes was exceptional. The police had just been given even greater arbitrary powers. The large prison population in that country consisted disproportionately of blacks and Latin Americans. Social aid budgets for the poorest had been reduced and the right to vote of coloured people had been questioned.

58. Ms. BAUTISTA (Latin American Federation of Associations of Relatives of Disappeared Detainees) said she was concerned at the growing incidence of massive and systematic violations of human rights in Colombia. In 1996, there had been at least 1,500 summary executions, 180 enforced disappearances, 330 killings of the dispossessed, including street children, and 278 cases of torture. Some 60 per cent of such deeds had been carried out by government agents and paramilitary groups operating in strongly militarized areas. Moreover, there were over a million displaced persons and an ever growing incidence of harassment, threats and killings of human rights activists.

59. In Mexico, arbitrary detention, imprisonment and torture struck particularly hard at the indigenous and peasant population, while threats and intimidation directed at human rights activists had doubled. In view of the unacceptable social consequences, it was essential that Mexico should be visited jointly by the Special Rapporteurs on questions relevant to torture and on extrajudicial, summary or arbitrary executions.

60. Colombia, too, should be visited by those Special Rapporteurs and by the Working Group on Enforced or Involuntary Disappearances. The Office of the High Commissioner for Human Rights in Colombia should start work as soon as possible and insist on the implementation of the recommendations made by the special rapporteurs and working groups over the past nine years; not only had most of them not been implemented, but measures running directly counter to them had been taken, such as the legalization of paramilitary groups, which had been guilty of grave violations of human rights.

61. The granting of impunity was the ideal breeding ground for systematic violations of human rights; under various pretexts - for example that the violations in question had taken place in the past, that those responsible had not been identified or that "reconciliation" legislation had been passed - those who had committed such crimes escaped scot-free.

62. Mr. POLANCO (Latin American Federation of Associations of Relatives of Disappeared Detainees) said that Guatemala needed the support of the international community following the signing of the Agreement on a Firm and Lasting Peace. He therefore urged the Commission to extend the mandate of the Independent Expert for at least one further year. Her presence was badly needed in what would be a year of transition during which democracy, respect for human rights and the rule of law were to be established.

63. Human rights continued to be violated, including some which did not fall within the remit of the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA), such as authoritarianism, censorship of the press, slanderous attacks on human rights activists and legislation against freedom of association.

64. Ms. ALVAREZ (Women's International Democratic Federation) said that, for almost 40 years, the Cuban people had been following the path of independence, sovereignty and social justice. It suffered, however, from the illegal, aggressive policy of the United States of America, which had maintained a genocidal blockade since the early 1960s. For Cuban women, the result was an ongoing violation of their human rights. Their families had difficulty in obtaining the basic necessities of life but the worst aspect of all was the impossibility of obtaining essential medicines for children and old people. The mandate of the Special Rapporteur on Cuba should be withdrawn, since it served only the interests of a third country which had done much harm to the Commission's credibility.

65. It had taken 40 years for the Pentagon to realize that the instruction it had provided for those who sought to combat opposition in Latin America violated human rights. It had finally withdrawn its instruction manuals but

the deaths, cases of torture and disappearances it had instigated throughout Latin America could not be considered a simple error in the defence of democracy.

66. Her organization was particularly concerned by the growing numbers of migrant women workers who were employed outside the jurisdiction of labour regulations. Lastly, it applauded the efforts made by the Chinese people on its path to development and its struggle for the equality of women.

67. Mr. WAREHAM (International Association against Torture) said that, in December 1996, the Republic of Korea had enacted laws which attacked organized labour and made the military responsible for enforcing the notorious National Security Law. In that connection, he quoted the cases of Ms. Koe Ae-Soon and of two former soldiers of the Democratic People's Republic of Korea who had been imprisoned since the 1950s. His organization urged the Commission to demand that the Republic of Korea drop the charges against Ms. Koe, release Mr. Ahn and Mr. Kim and repeal the National Security Law.

68. The current Government of Guinea, which had come to power through a military coup d'état, although it had held an allegedly "democratic" election in 1993, had assassinated 90 per cent of the members of the central committee of the opposition party and had tortured thousands of others. Meanwhile, the usual World Bank/International Monetary Fund (IMF) conditionalities had caused record levels of unemployment. The Commission should investigate the situation in Guinea to secure compliance with the Universal Declaration of Human Rights.

69. The United States of America relentlessly violated human rights both at home and abroad. It had one of the largest income gaps of any industrialized nation and, in 1996, Congress had severely curtailed assistance to poor families and eliminated nearly all aid to legal immigrants. Summary and arbitrary executions of blacks and Latinos by law-enforcement agencies were on the rise, some of them being premeditated and carried out by death squads, while the Government refused to give substantive replies to the urgent appeals of the Special Rapporteur on extrajudicial, summary or arbitrary executions. The United States had also intensified its illegal blockade of Cuba to include reprisals against other countries that did business with Cuba. It had thus not only had a negative effect on the economy and living conditions of Cubans but had also violated international standards concerning freedom of trade and non-interference in the internal affairs of sovereign countries.

70. Since the actions of the federal, State and local governments of the United States formed a consistent pattern of gross violations of human rights, the Commission should appoint a country-specific special rapporteur to investigate the situation there.

71. The current fervour to make reparation to Jewish Holocaust victims whose funds had been stolen by Western banks ignored the issue of the reparations due to the descendants of the millions of enslaved Africans whose involuntary labour had created the wealth of North America and Europe.

72. Baroness COX (Christian Solidarity International) said that, as a result of the seven fact-finding visits she had made to locations in the Sudan declared as "no-go" areas by the National Islamic Front (NIF), she endorsed all the findings contained in the report of the Special Rapporteur on the situation of human rights in the Sudan (E/CN.4/1997/58). The NIF regime, which had seized power in 1989 by overthrowing the democratically elected Government, had made the Sudan one of the world's worst human rights disaster areas.

73. It was thus encouraging that rapidly expanding areas of the Sudan were under the administration of the democratic opposition and that the development of civil society and respect for human rights were progressing in those areas. However, the NIF regime was doing its utmost to reverse that progress, inter alia by obstructing the delivery of humanitarian aid, seizing expatriate and local staff and banning the activities of relief agencies. Its cynical interference in the delivery of aid had resulted in needless death, disease and hunger for millions of people.

74. Her organization appealed to the Secretary-General to intervene personally with the regime to secure the immediate and unconditional release of all hostages and to convene a conference of governmental and non-governmental human rights and relief agencies to establish mechanisms for the delivery of emergency aid to the "no-go" areas. It called upon all States, especially the industrialized democracies, to finance the Special Rapporteur's proposals for the establishment of a network of human rights monitors in the Sudan.

75. Mr. CASTILLO (Christian Democrat International) said that the reports of the Special Rapporteur on the situation of human rights in Zaire were notable for their objectivity, wealth of data and timeliness. They pointed out not only the responsibilities of the dictatorship that had plunged that country into bankruptcy and chaos, but also the human rights violations attributable to the rebel movement. Those who had risked their lives to defend human rights and democratic freedoms in Zaire during the long years of oppression must not be forgotten.

76. In Cuba, a number of foreign journalists who had visited the country in 1996 had been detained, harassed and expelled. Cuban journalists who had left the official press corps to start independent agencies had been harassed and subjected to reprisals.

77. In contravention of article 13 of the Universal Declaration of Human Rights, the Cuban Government used "internal exile" to punish its citizens. In June 1996, two University of Havana students had been sentenced to five years' internal exile for "disrespect", on the ground that they had founded a pro-democracy youth group.

78. In contravention of article 20 of the Declaration, the Cuban Government had prosecuted people for merely trying to form an association. For example, several people had been detained in 1996 for having signed a petition requesting the legalization of the Movimiento Cristiano Liberación, in accordance with the Cuban legislation in force. One of them had been sentenced to four years' imprisonment for the crime of "enemy propaganda".

79. He urged the Government of Cuba to allow its citizens freedom of movement and association within and outside the island, and to allow national and foreign journalists to do their work unhampered by restrictions or reprisals.

80. Mr. BUSDACHIN (Transnational Radical Party) said that the modern and free society of Hong Kong was a tragic exception to the global trend towards democracy and human rights. The 1984 Sino-British Joint Declaration had provided that, under the "one country, two systems" arrangement, the authorities would continue to respect the rule of law and existing rights and freedoms in Hong Kong. However, China would control the executive, legislative and judicial branches of Hong Kong's Government, and Chinese leaders had made intimidating statements concerning freedom of the press; a new law on "subversion" would soon be enacted by China's appointed legislature.

81. The 1991 Bill of Rights Ordinance, which contained all the rights enshrined in the International Covenant on Civil and Political Rights, empowered Hong Kong courts to strike down laws which were inconsistent with those rights. However, the National People's Congress of China had repealed those provisions. Draconian colonial laws restricting the freedom of assembly and association were to be resurrected and without an elected legislature or a bill of rights, it appeared that the rule of law would be impossible to maintain in Hong Kong.

82. The United Nations and world leaders must insist on the full implementation of the United Nations-registered Joint Declaration, and the Chinese leaders should return to their original policy of keeping Hong Kong free and autonomous.

83. His organization was also concerned about China's denial of freedom of opinion in Tibet, particularly since the launching of the "Strike Hard" campaign in April 1996 and the "patriotic re-education" campaign, which had led to widespread arrests and expulsions of monks and nuns who had resisted "re-education" along Chinese communist lines. The Commission should adopt a strong resolution on China.

84. The increase in human rights violations in the Federal Republic of Yugoslavia (Serbia and Montenegro), particularly in Kosovo, and the situation of the Bulgarian minority were most disturbing. Albanians in Kosovo did not enjoy any economic, social or cultural rights and, in 1996, there had been 14 killings or deaths in custody, while hundreds of people had been arrested and most of them ill-treated. The Bulgarian minority in eastern Serbia was suffering severe harassment and basic civil and political rights were not observed.

85. Mr. ESTEVE (International Federation Terre des Hommes) said that over 110 million anti-personnel landmines were scattered in 64 countries, the most severely affected ones being Angola, Ethiopia, Eritrea, Mozambique, northern Somalia, Sudan, Afghanistan, Cambodia, Bosnia and the Kurdistan region of Iraq. Landmines which were virtually uncontrollable once they had

been laid, indiscriminately killed or mutilated over 2,000 people a month. They had not only human costs but also social ones, since they barred access to land that could otherwise be inhabited or cultivated. Angola, for example, had required substantial food aid in 1994 as a result of the loss of arable land.

86. The exorbitant costs of demining operations placed a heavy burden on countries' financial resources. While increasingly sophisticated mines were being developed, demining techniques had made little progress and, at the current rate, it would take 1,100 years to demine the planet, assuming that no new mines were laid. That time could be considerably shortened, however, if sufficient credits were made available for research on demining. He thus welcomed the Canadian Government's initiative in organizing a conference on the subject and the decision of at least 21 States to stop using landmines.

87. Nonetheless, the progress made thus far was insufficient. The Commission must address the issue, since the use of landmines violated human rights generally and the rights of the child in particular. The Commission should follow the example of the Sub-Commission and adopt a resolution supporting a total ban on landmines.

88. Ms. LAROCHE (Robert F. Kennedy Memorial) said that violations of fundamental rights in Indonesia had increased in 1997, in the form of systematic detention, torture and killings, the military forces being primarily responsible. In the incident of 27 July 1996 at the headquarters of the Indonesian Democratic Party five people had been killed and 23 others had disappeared. In another incident, a group of university and secondary-school students who favoured democracy had been arrested on charges of subversion, and faced severe sentences. Various political organizations had been crushed, in violation of freedom of association. The Commission should urge the Indonesian Government to cooperate with its special procedures.

89. Mr. LI Baodeng (China), speaking in exercise of the right of reply, said that the statement made by the representative of the Netherlands on behalf of the European Union had ignored the Chinese Government's substantial achievements in the field of human rights and had made unwarranted accusations that had no factual basis. In any event, the question of whether China had made sufficient progress in human rights must be judged by the Chinese people themselves and not by Western countries.

90. With respect to Hong Kong, an important component of China's policy was to safeguard the human rights of the residents of the Special Administrative Region. The "one country, two systems" principle laid down in the Joint Declaration was a sound basis for the promotion of human rights, democracy and freedom and would give Hong Kong great autonomy. The previous system would remain unchanged; rights and freedoms would be fully guaranteed and a democratic political system would be developed in Hong Kong.

91. The British authorities had created obstacles to the enjoyment of human rights and democracy in Hong Kong. They had never in the past given Hong Kong a bill of rights or the right to elect public officials; only on the eve of

Hong Kong's return to China had they hastily adopted a bill of rights and proposed political reforms. Their aim was to obstruct the rule of law after Hong Kong's return to the motherland.

92. China was taking the necessary measures, which were widely supported, to ensure a smooth transition and to preserve the stability and prosperity of Hong Kong. The return of Hong Kong to China would have long-term positive effects on world peace and development. Although some, out of nostalgia for colonialism, tried to make trouble by internationalizing the issue, those attempts were bound to fail.

93. Mr. EL NASSRI (Observer for the Sudan), speaking in exercise of the right of reply, said that the Union of Arab Jurists had made false allegations about his country. The person who had spoken on behalf of that organization was a member of the rebel movement in the Sudan. Some NGOs, while ostensibly defending human rights, were actually trying to sow panic and disorder. The international community must put a stop to such practices; however, its failure to act had had harmful consequences for the people of the Sudan. International conventions must be enforced.

94. The Union of Arab Jurists had alleged that the Special Rapporteur on the situation of human rights in the Sudan had suffered ill-treatment and expulsion by the Sudanese authorities. That allegation was incomprehensible, and showed that the organization was using the Commission to spread lies. If Commission members wanted to know the truth, they should re-read the statement delivered the preceding day by the Minister of Justice of the Sudan.

The meeting rose at 6 p.m.